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Fifty-sixth session

SUMMARY RECORD OF THE 41st MEETING

Held at the Palais des Nations, Geneva,
on Wednesday, 12 April 2000, at 10 a.m.

Chairman: Mr. SIMKHADA (Nepal)

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ECONOMIC, SOCIAL AND CULTURAL RIGHTS (continued)

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GE.00-12718 (E)

The meeting was called to order at 10.15 a.m.

ECONOMIC, SOCIAL AND CULTURAL RIGHTS (agenda item 10) (continued)

Special debate on poverty and the enjoyment of human rights

1. The CHAIRMAN said that the choice of poverty and the enjoyment of human rights as topic for a special debate was timely. Many initiatives to address poverty were under way and States' commitments to eradicating poverty were under review. The Commission itself was considering a draft declaration on human rights and extreme poverty. In spite of those initiatives, poverty persisted as a threat to peace, security and human dignity. He urged the Commission to seize the opportunity to make a difference to the lives of millions of people living in poverty, focusing on the question of how that could be best achieved, from the perspective of the realization of human rights.

2. Mrs. ROBINSON (United Nations High Commissioner for Human Rights) said that the title of the special debate presented an apparent contradiction: poverty was not, after all, associated with the enjoyment of human rights but rather with their denial and deprivation. The title was however, an encouragement to viewing poverty in its true light, as a denial of a whole range of rights pertaining to the human being, based on each individual's dignity and worth. Tackling poverty was a fundamental human rights issue.

3. That was easily stated but had not as yet become an operational reality. She looked forward with optimism to the day when the Boards of the World Bank and the International Monetary Fund (IMF) explicitly accepted that, in addressing world poverty, their analysis and response should be based on protecting and promoting a whole range of human rights. They seemed to be moving in that direction; a momentum that should be encouraged.

4. The debate was therefore timely. As the international community reviewed the implementation of the commitments to eradicating poverty that it had made at the World Summit for Social Development in Copenhagen, the Commission could identify new solutions to poverty from its particular perspective, namely, the promotion and protection of human rights. The Commission could give leadership in showing that poverty reduction strategies would have a greater potential for success, if their approach included the realization of human rights.

5. The figures for world poverty were sobering. Some 1.2 billion people survived on less than US$ 1 a day and 790 million suffered from malnutrition. One hundred and forty million school-age children did not attend school and 900 million adults were illiterate. Almost 34 million people were living with HIV/AIDS, the vast majority in developing countries. Those hardest hit by poverty were women, children, ethnic minorities and indigenous peoples. In sub-Saharan Africa, 51 per cent of the population lived in absolute poverty.

6. Poverty affected housing, health, food and education. It was, however, more than just a social or economic problem. Poverty left people voiceless and powerless, distancing them from the people and institutions making the decisions that affected their lives. Their powerlessness, in turn, made the poor even more vulnerable to abuse and to the cyclical patterns of poverty that could keep the poor and their children in the same state for

generations. As the winner of the Nobel Prize for economics, Amartya Sen, had said, poverty must be seen as the deprivation of basic capabilities, rather than merely as lowness of incomes.

7. The link between poverty and the enjoyment of human rights was clear and strong. The reality of poverty was that the poor were denied almost all their human rights - the right to adequate housing, primary health care, education and food - as well as the normal benefits of citizenship, such as fair legal treatment and access to justice, participation in decision-making and access to information and technology.

8. It was evident that poverty was a multidimensional problem requiring strategies that promoted the active participation of all in society and the fair distribution of benefits. Insofar as poverty was a denial of human rights, then the realization of all human rights provided a meaningful strategy to surmount poverty: the rights-based approach.

9. That approach consisted of integrating the long-established framework of norms, standards and principles of the international human rights system into the plans, policies and processes of poverty reduction. It sought to address the causes of poverty and proposed solutions by identifying rights holders and duty bearers.

10. It might be asked what a rights-based approach brought to the many strategies to reduce poverty that already existed. At the World Summit, the international community had made firm commitments to eradicate extreme poverty, substantially reduce overall poverty and develop national plans to that end. In 1997, it had proclaimed the First United Nations Decade for the Eradication of Poverty (1997-2006) and set the target date of 2015 to halve extreme poverty.

11. The World Bank's poverty reduction strategy was currently based on the premise that practical action to combat poverty should be country-driven, results-orientated, partnership-based, framed within a long-term perspective and comprehensive. The United Nations Development Programme (UNDP) had just launched the Poverty Report 2000, "Overcoming Human Poverty", in the context of the review of the Social Summit's commitments, calling for a new global strategy against poverty. The Secretary-General had recently given priority, in his vision of the role of the United Nations, to achieving "freedom from want".

12. Poverty-reduction strategies promoted the enjoyment of human rights to varying degrees, either implicitly or explicitly. A rights-based approach went further, arguing that the realization of human rights was the primary goal of poverty reduction. She believed that adopting a rights-based approach provided the basis for more successful poverty-reduction strategies.

13. First of all, the rights-based approach ensured that the human dimension was not lost when strategies to reduce poverty were developed. It empowered the individual and the community by enhancing the human dimension of such strategies, focusing on special groups that needed attention.

14. Secondly, the rights-based approach was a grass-roots one. It sought to empower the poor through creating the conditions needed for popular participation in decision-making and through strengthening institutions of governance and democracy.

15. Thirdly, the rights-based approach was all-encompassing. Poverty was a multidimensional problem requiring broad-based solutions that went beyond economic formulas. The human rights perspective provided the framework for developing a multisectoral approach to poverty reduction through the right to development, which envisaged the realization of all human rights: civil, cultural, economic, political and social.

16. Fourthly, the rights-based approach was preventive. By protecting human rights, the international community could help prevent the conditions that led to poverty: the social, economic and political exclusion that continued to plague humanity and destroy developmental efforts.

17. Lastly, the rights-based approach was supportive of States trying to combat poverty. Inegrating a rights-based approach was not about forcing conditionalities on to States in their endeavours to combat poverty. It was about working with the poor, wherever they were, and developing strategies that supported their context for the enjoyment of human rights.

18. It would be very significant if the Commission could deepen its awareness of how to adopt and advocate a rights-based approach in developing poverty-reduction strategies. The Commission already had a number of initiatives to consider. She welcomed the comments made during the session concerning some of those initiatives, such as the global alliance to fight poverty proposed by the independent expert on extreme poverty and the comments in support of the work on the draft optional protocol to the International Covenant on Economic, Social and Cultural Rights, which would grant individuals or groups the right to submit communications concerning non-compliance with the Covenant.

19. The Commission also had before it the report of the expert workshop convened in 1999 to consider the question of a draft declaration on extreme poverty; the joint report of the Special Rapporteur on the effects of foreign debt on the full enjoyment of economic, social and cultural rights and the independent expert on structural adjustment; and the report of the Special Rapporteur on the right to education. The Committee on Economic, Social and Cultural Rights was examining the question of poverty in the context of globalization. There was also Economic and Social Council resolution 1998/51 on integrating the human rights of women throughout the United Nations system, which paid particular attention to the feminization of poverty, its causes and remedies. In that context, it was gratifying that three members of the panel were women.

20. There remained many issues to be addressed, nonetheless. The debate on poverty offered the opportunity of a real step in the direction of reducing poverty through the promotion and protection of human rights.

21. Lastly, she recalled that the Secretary-General had urged the Commission to give momentum to the common struggle of the international community to place development at the service of human rights and human rights at the service of development. She urged the Commission to direct that momentum so that human rights and development were placed at the service of the poor.

22. Ms. SORGHO-MOULINIER (United Nations Development Programme (UNDP)), said that poverty eradication was the central mission of UNDP which, over the past decade, had been

inspired by the upsurge of concern for international human rights. The human rights normative framework had provided a solid foundation on which UNDP could build a stronger case for eradicating poverty.

23. First of all, she wished to focus on the definition of poverty. Most conventionally, it was defined as a lack of income and measured by the number of people whose incomes fell below a certain level. Poverty was, however, more than that: it was a deprivation of the most basic choices available to people, such as a healthy life, education, a decent standard of living and the opportunity to take part in the life of a community. UNDP distinguished human poverty from income poverty. Such a broader definition was consistent with the rights-based approach.

24. UNDP addressed human rights and poverty eradication primarily through global advocacy and by assisting Governments to develop national capacity. The factors that had encouraged it to embark on a rights-based approach to development and the eradication of poverty included the Secretary-General's call to integrate human rights standards and principles into all United Nations activities; its path-breaking policy of integrating human rights with sustainable human development; the 1998 Memorandum of Understanding between the UNDP Administrator and the High Commissioner for Human Rights, spelling out in detail areas of joint cooperation and identifying priority activities; and, most importantly, the growing awareness that linking human development and human rights strengthened the efforts to fight poverty.

25. UNDP had embarked on the task of integrating human rights into its programming, the entry point being the programming tools developed at country level by UNDP country offices and by the United Nations country teams under the leadership of the resident coordinator. Common country assessments (CCA) and the United Nations Development Assistance Framework (UNDAF) - the United Nations agencies' concerted response to countries' development needs - were increasingly adopting the rights-based approach as a programming device. The national human development reports promoted by UNDP also highlighted the link between sustainable human development, poverty and human rights. Another important programming activity was the joint human rights strengthening programme of UNDP and the Office of the High Commissioner, which aimed at strengthening national capacities in human rights.

26. A specific support for programming exercises had been the four regional workshops organized in 1999 for UNDP resident representatives or resident coordinators and a number of government representatives, in order to build up their capacity to streamline human rights in development programmes in line with the key human rights principles of universality, indivisibility, non-discrimination and participation. The workshops had been held in Africa, Asia, Eastern Europe and the Commonwealth of Independent States (CIS). UNDP was also gradually learning to use the International Covenants on Human Rights as essential references for its work. UNDP work was further facilitated by its participation in the global dialogues on human rights and development.

27. UNDP promoted human rights and the fight against poverty through periodic poverty assessment reports and the annual Human Development Report. The latest Report, to be

released in June, would focus on the interrelationship between human rights and human development. She hoped that it would be a useful reference for both development and human rights practitioners.

28. The Poverty Report 2000 came at an important juncture, when the review of progress in the fight against poverty five years after the World Summit for Social Development was to take place. The Report assessed a broad range of national poverty programmes and highlighted issues lying at the core of human rights concerns. It called for a new global strategy against poverty with more resources, a sharper focus and a stronger commitment. It also recommended the development of comprehensive national anti-poverty plans. It called for a new generation of poverty programmes which would make growth more pro-poor, target inequality and emphasize the empowerment of the poor. It further emphasized that responsive and accountable institutions of governance were often the missing link between anti-poverty efforts and poverty reduction. Governments therefore needed to be accountable to their people.

29. The Report recommended that resources should be focused on the poor, since, lacking organization and power, the benefits of poverty programmes rarely reached them. Moreover, most poverty programmes failed to focus on gender inequality, which was both a denial of human rights and a major source of poverty. The Report also boldly suggested that, if corruption were cleaned up at the same time as the poor organized themselves, many national programmes would immediately ratchet up their success in directing their benefits to the people who needed them. Such recommendations reflected the concerns of the bodies of principles and standards of human rights. Freedom from want for everyone in the world was possible, as the Human Development Report argued most convincingly.

30. Lastly, she noted that UNDP looked to the Commission for guidance in the pioneering field of integrating human rights with human development. There were many tough issues ahead, but UNDP was encouraged by the growing wave of solidarity within the United Nations system and the international community that increasingly favoured a human rights approach in the development context. UNDP therefore looked forward to working closely with Governments. Through cooperation and dialogue, and the promotion and protection of human rights, it should be possible to make a quantum leap in overcoming poverty in the near future.

31. Mr. OSMANI (Professor of Development Economics, University of Ulster), addressing the economic implications of resource constraints for the rights-based approach to poverty eradication, said it was acknowledged that duty-bearers must be held accountable when any given rights were not fulfilled and, in most forums where the question was discussed, States were identified as the duty-bearers. When, however, States were called to account for failing to alleviate poverty, the question of resource constraints always arose. They argued that they were doing their best within their limited resources and could thus not be said to be failing. That was clearly a valid argument, but resource constraints could not be used as an excuse for real failure.

32. The clue as to how such a claim could be countered lay in general comment No. 12 on the right to adequate food of the Committee on Economic, Social and Cultural Rights: it spoke of the State's obligation to respect, protect and fulfil its citizens' right to food. There was, however, a difference between the rights that must be respected and protected and the rights that must be fulfilled. Respect for a right meant that the State must not obstruct lawful activities or

discriminate against a group pursuing its livelihood. If, however, a farmer was trying to cultivate land and someone rich and powerful was taking it away from him, he needed protection of his right rather than mere respect.

33. As Isaiah Berlin had said, however, respect and protection were negative rights; fulfilment, on the other hand, whereby the State had the duty actively to extricate its citizens from the trap of poverty and hunger, was a positive right. Moreover, it was the only requirement for ample resources. Very few resources were required for the respect or protection of human rights.

34. The International Covenant on Economic, Social and Cultural Rights spoke of "achieving progressively the full realization" of rights; clearly, poverty could not be eliminated overnight. The task of the international community - and, more particularly, the Committee and the Commission - was to establish whether a State was making best use of its resources.

35. Decisions on priorities should be made within States, but by agreement, in a participatory way, rather than by a decision imposed by an oligarchy. Only if, having set its priorities, a State could still not fulfil its target, might it be said to bear responsibility for its failure. It was thus clear that ultimately civil and political rights had to go hand in hand with economic, social and cultural rights, to enable all to participate in the decision-making process.

36. Mr. KOTHARI (Habitat International Coalition) said that about 100 million people in the world were homeless, with over one billion subjected to "insecure and inadequate housing and living conditions". They lived in all kinds of makeshift accommodation. Such people had no rights. They had no access to safe water or sanitation, were exposed to hot summers and harsh winters and were constantly at risk of eviction and disease. They often lived in earthquake or flood zones. Women and children were the worst affected.

37. The international community should address the implications as well as the causes of such abject poverty. Economic globalization had resulted in a loss of common property and resources, in "ghettoization" and segregation, with people unable to control market forces. It was also linked to non-compliance with national and international human rights instruments.

38. At the national level, there continued to be an overemphasis on accumulation of wealth per se and a lack of strategies for distributive justice. The global setting was characterized by a neo-liberalized, "marketized" consciousness, with a notorious disdain for the well-being of the poor. It had been shown that economic globalization reinforced poverty by widening gaps among countries and between classes.

39. Human rights instruments clearly offered the legal framework and ethical basis for questioning the detrimental effects of economic globalization. Integration with all multilateral institutions on human rights was therefore necessary, and the courageous work in that connection of the Sub-Commission on the Promotion and Protection of Human Rights and the Committee on Economic, Social and Cultural Rights deserved support. There was a need for a paradigm shift, which involved recognizing that the current system did not possess all the answers. The poor must be seen as participants rather than victims.

40. The ecological aspect of poverty was often ignored. However, recent studies in India had shown that biodiversity and access to water and other resources were often far more critical in determining poverty and wealth than purely monetary factors. It was thus essential to move from a purely economic agenda to one which respected peoples' rights and resources. Other studies had shown that tribal and indigenous groups were far less prone to disease and impoverishment when they had access to forest produce, and far more prone when they worked "outside", as labourers. Hence the importance of integrating human rights and environmental instruments.

41. There was an urgent need to address certain misconceptions through human rights education. The world increasingly viewed the poor as being responsible for social violence and environmental degradation, whereas they were actually the primary victims of such phenomena. A new form of discrimination had emerged, which must be taken into account in preparations for the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance: people were increasingly marginalized and discriminated against not merely on the grounds of race, class or gender, but primarily because they were poor. Discrimination of that kind did not feature in the existing instruments.

42. The Commission should play a leadership role in promoting global recognition of the human rights dimensions of poverty, which should be the central focus of its work. To that end, the Commission must offer mechanisms of its own to complement those elsewhere in the United Nations system. The Commission should also make an unequivocal statement to the effect that economic, social and cultural rights were both justiciable and enforceable. Ambiguity on that front would merely consign more people to poverty.

43. The Commission should also consider establishing a working group on poverty to study the multidimensional aspects of the issue. Moreover, it should approve the optional protocol to the International Covenant on Economic, Social and Cultural Rights at the earliest opportunity, so as to clarify misapprehensions as to the relevance of those rights. Alliances should be built with non-governmental organizations (NGOs) working on the issue, particularly with those dealing with the social impact of economic globalization and using the primacy of human rights as a basis for their work.

44. Governments, for their part, should recognize the obstacles impeding implementation of the international human rights instruments and collaborate with civil society to that end. They should also seek to identify why different government ministries had differing priorities in respect of human rights.

45. In addition, human rights must be stressed as a means of empowering both people and communities, of holding States accountable, and of transforming the internal structure of States through the empowerment of civil society. Above all, the Commission must develop mechanisms which would enable people and communities to claim their human rights and gain the means to overcome debilitating poverty.

46. Ms. LIZIN (Independent expert on human rights and extreme poverty) said that "coherence" between the Bretton Woods institutions, the World Trade Organization (WTO) and the United Nations agencies was essential to avoiding duplication in the fight against poverty.

Her report on human rights and extreme poverty (E/CN.4/2000/52) contained a number of recommendations and identified main obstacles in the campaign against poverty. In particular, she had stressed the ineluctable responsibility of States in respect of budgetary choices, and the importance of decentralization to reach the poor. Above all, it was essential to ensure access to services, as well as adequate protection and income for the poorest. The Commission should urge States to provide a coherent structure in which civil society might operate more effectively.

47. The interrelationship between the promotion and protection of human rights and the elimination of extreme poverty required further conceptualization. In devising strategies, it was vital to involve civil society including the poorest people and their communities. Only then might full account be taken of their needs. Also with a view to advancing the debate, special rapporteurs and institutions should be encouraged to include a chapter on extreme poverty in their annual reports.

48. Mr. RICUPERO (Secretary-General of United Nations Conference on Trade and Development (UNCTAD)) said that there was need for a return of the notion of mutuality of interests and of economies based on interdependence. There had been public protests in Washington recently over "footloose capital", namely the lack of commitment of transnational corporations to the welfare of their employees and local communities. The international community must act to ensure coherence not only between financial, monetary and trade policies, but also between macroeconomic policies and the social and humanitarian aspects.

49. The Bretton Woods institutions were engaged in elaborating national strategies for combating poverty in collaboration with Governments, with a view to finalizing up to 25 such plans by early 2001. The Commission must thus act quickly to ensure that elements such as the enjoyment of economic and social rights were incorporated into those plans, and that the United Nations was not bypassed in the elaboration process. The recent financial crisis in Asia had provided a telling example of the consequences of lack of coherence in the application of macroeconomic policy at the international level.

50. In trade negotiations, it was essential to ensure de facto - not merely de jure - reciprocity. To that end, the special and differential treatment of least developed and developing countries must be made binding. It was also crucial to evaluate the cost of trade commitments and technical assistance in respect of specific countries, and to ensure that the necessary resources were forthcoming. The Third United Nations Conference on the Least Developed Countries (to be held in Brussels in May 2001) should be results-oriented. To that end, it would be essential to stress the interrelationship between poverty, peace, security and human rights, including the right to development and economic and social rights.

51. Ms. SANTOS PAIS (United Nations Children's Fund (UNICEF)) said UNICEF had been promoting child-friendly reforms and assessing the impact of microeconomic reforms and public spending on children for 20 years. It had developed a set of indicators to monitor children's situation and guide policy reforms in order to reduce poverty and promote social inclusion.

52. Despite the progress made since the entry into force of the Convention on the Rights of the Child, millions of children were still in the grip of poverty and did not even figure in social

statistics. In a 30 trillion United States dollars global economy, 1.2 billion people, half of them children, lived in suffering and want. For the poorest countries, debt servicing undermined health systems and education, seriously compromising the realization of children's economic, social and cultural rights. At the same time, official development assistance (ODA) had declined steadily since 1992, affecting child mortality and access to education and safe drinking water.

53. The combination of poverty, HIV/AIDS and armed conflict posed an even greater threat to children's enjoyment of their human rights. Sub-Saharan Africa contained some 70 per cent of those infected by AIDS, a situation that threatened stability, exacerbated inequalities and drained already meagre financial and human resources. AIDS orphans were particularly vulnerable, being more likely to be malnourished and less likely to be immunized or go to school. Armed conflict compromised progress made in child health, nutrition and education, while women and children had become military targets.

54. UNICEF experience had shown, however, that all countries could implement children's rights and provide universal access to basic social services, even when income levels were low, as long as public policies and budget allocations were guided by the best interests of children, and given strong political commitment and community participation.

55. Mr. GALLEGOS CHIRIBOGA (Ecuador) said he was concerned that, given the lack of coherence within the United Nations system, the current discussion of human rights-based development and the eradication of poverty might have little impact. There was a yawning gap between the agreements reached in United Nations forums such as the Commission and the implementation of structural adjustment, trade and debt policies agencies such as the Bretton Woods institutions and the WTO. The Office of the High Commission for Human Rights (OHCHR) needed to be more closely involved in the negotiations on debt and structural adjustment.

56. Mr. MENDONÇA E MOURA (Portugal), speaking on behalf of the European Union, said that poverty and marginalization were obstacles to social participation and the enjoyment of human rights. He asked the members of the panel to give their views on the dichotomy in modern societies between the increase in marginalization and the need to enhance social participation. While the main responsibility for combating poverty lay with States, which must use their available resources as effectively as possible, the fact remained that many States did not have adequate resources. He asked the panel why, in their opinion, the existing range of international support and cooperation measures had not had more success.

57. Human rights were interdependent and indivisible but, according to one current view, to combat poverty and promote development, it was better to concentrate initially on a few core rights. He wondered whether the panel shared that view. Lastly, he asked whether the panel thought that civil society and national human rights institutions were sufficiently involved in combating poverty and how their participation might be enhanced.

58. Mr. AKRAM (Pakistan) said that the problem of development was not primarily one of inadequate domestic policies. The countries that had been hardest hit by the recent global economic crisis were those most integrated into the global system, a fact that tended to indicate that the problems were mainly external. A real contribution to poverty reduction would be made

if a set of international rights could be established for States. The listed five rights: the right to adequate financing for development, the right to an equitable global trading system; the right to fair access to knowledge and technology; the right to non-discrimination within the global economy - the concept of the "level playing field" always worked against developing countries; and the right to effective participation in decision-making in, for example, the Bretton Woods institutions.

59. Mr. CASTRO GRANDE (El Salvador) said that the right to work was perhaps the most basic right, since, along with education, work was the means by which people fulfilled themselves as productive members of society. It was necessary to discuss not only capital and investment flows, therefore, but also the free movement of labour towards sources of employment.

60. Mr. FIGUEREDO (Special Rapporteur on the effects of foreign debt on the full enjoyment of economic, social and cultural rights) said it was very important that the human rights issue was beginning to be mainstreamed into the policy prescriptions of the United Nations system and the Bretton Woods institutions. The emphasis was currently still on those areas where the need was most urgent - the least-developed countries (LDCs) and the highly indebted poor countries (HIPCs) - but it was important to develop convergence and coherence further, into strategies for growth in most countries. Coherence also meant considering what specific Commission recommendations should be discussed at the review of the World Summit for Social Development ("Copenhagen Plus Five") and at the Brussels Conference on LDCs in 2001. Conditionality or a lack of coherence was very often a result of a lack of internal coordination - the same countries attended the meetings, but not always the same ministries.

61. Mr. KOBAYASHI (Japan) said that the difficulty for donor countries in respect of a rights-based approach to ODA was that recipients often saw it as interference in their internal affairs. His Government had, however, adopted such an approach in 1992, following concern that a purely economic approach was not having the desired effect. It currently paid attention to democratization, human rights and moves towards a market economy, stepping up aid to countries where democracy had been introduced and reducing it if undemocratic regimes came to power. It also took account of the principle in deciding what projects to support. It was not a matter of imposing its will but rather of encouraging human rights and democracy.

62. Mr. PADILLA MENENDEZ (Guatemala) said that good governance and democracy were essential to development within any country. It was also vital to have coherent national policies, otherwise it was impossible to devise coherent policies in intergovernmental institutions. Serious consideration also needed to be given to the question of where the resources for sustainable human development were to come from. He hoped that the discussion would lead to concrete recommendations and be taken into account in the Commission's resolutions.

63. Mr. NUSHIRWAN (Observer for Malaysia) said that the welter of statistics on poverty might be an indication that the international community, through the United Nations, had failed the world's poor. He wondered what place development in general and poverty eradication in particular had on the agenda of a United Nations family that was divided into poor men's clubs

and rich men's clubs. The emphasis on a rights-based approach to development, moreover, ignored the other side of the equation, namely the development-based approach to human rights, which had its own merits.

64. Reassurances that the rights-based approach was not an instrument of conditionality were not enough, since there was a real fear in developing countries that it could be used to introduce protectionist measures.

65. Lastly, he suggested that, in addition to the three obligations outlined by Mr. Osmani there should be a fourth obligation on States, namely, to cooperate to eradicate poverty.

66. Mr. GOPINATHAN (India), noting that ODA had not been mentioned until quite late in the discussion, said that resource availability was the most important factor in the development/rights issue. He would like to know what the panel considered to be a realistic date for achieving the ODA target of 0.7 per cent of gross domestic product (GDP).

67. He feared that, if a rights-based approach to poverty eradication was adopted, human rights could continue to be used as a condition for aid or an instrument of protection.

68. With regard to globalization and the involvement of non-State actors in poverty eradication, he wondered how the phenomenon of globalization could be humanized and what the obligations of, for example, transnational corporations, might be and how it would be possible to monitor their compliance.

69. Mr. RODRIGUEZ CEDEÑO (Venezuela) said that poverty could not be viewed in isolation. There was an undeniable link between poverty, human rights and peace and stability. Furthermore, since internal stability enhanced international stability, the international community clearly had an interest in formulating policies favourable to poverty eradication, including a review of the commodity pricing system and the international finance system, and improvements to the administration of United Nations development aid.

70. Ms. SORGHO-MOULINIER (United Nations Development Programme (UNDP)), referring to the recently-published report "Overcoming human poverty 2000", said UNDP believed it was essential to increase ODA to developing countries; however, it also supported States in reorienting the available resources so as to make better development choices and involve the poor in policy-making.

71. Mr. RICUPERO (Secretary-General of the United Nations Conference on Trade and Development UNCTAD) said that he was in favour of the rights-based approach, but warned that it was not enough to provide rights: the means to enjoy those rights must also exist. Affirmative action was needed to close the gaps between countries' different starting-points if the ideas of the level playing field and equal opportunities were to be meaningful.

72. Mrs. ROBINSON (United Nations High Commissioner for Human Rights), responding to the representative of Portugal, said that one of the OHCHR priorities was to enhance its work on the right to development and engage more closely with the World Bank and UNCTAD, as it already did with UNDP. She welcomed delegations' positive response to the rights-based

approach. The aim was not to impose new conditions, but to enable people to influence the circumstances of their own lives in order to combat poverty, and that had implications for Governments' approach to poverty eradication.

73. Mr. OSMANI (Professor of Development Economics, University of Ulster) said that he was unable to agree with the representative of Guatemala that the participatory approach was workable only in a democracy. A democracy was not the only institutional framework in which a participatory decision-making process was feasible. Brazil had used a participatory approach towards health matters, for example, which had been highly successful. While democracy was not essential, political and civil freedoms and rights were.

74. The observer for Malaysia had suggested that States should also have a duty to cooperate. In that regard, he thought it was important to maintain a distinction between goals and instruments. He preferred to think of such rights as the right to food or education as goals, and cooperation was one of the instruments needed to achieve such goals. It was not helpful to apply the terminology of human rights to instruments.

75. The same applied to the suggestion put forward by the representative of Pakistan with regard to five additional rights: those rights were not goals but instruments. That representative had also stated that poverty was not primarily the result of domestic policy but, rather, the product of the international economic system. While it was true that the international economy had a significant impact on national economies, it was not primarily responsible for poverty in developing countries. China and the South-East Asian countries had had considerable success in dealing with poverty, and that success was largely due to their own domestic policies.

76. Mr. KOTHARI (Habitat International Coalition) said that there was a large and growing movement in civil society against economic globalization. The Commission must find ways to collaborate with such powerful global movements, and demand that international institutions reform, and become accountable to human rights principles. The fear some developing countries had of conditionality was real, if possibly misplaced. If it was acknowledged that human rights instruments represented a coherent challenge, countries' existing human rights obligations would constitute the best defence. It might be a good idea if the representatives of some countries stood up in international forums and said that their existing obligations would not permit them to become parties to agreements that would have a negative impact on vulnerable sectors of their peoples.

77. The Commission must demand that the primacy of human rights be stressed at the Social Summit.

78. Mr. ZAFERA (Madagascar) said that none of the steps taken to reduce poverty could be effective in the absence of a firm commitment and political will. The representative of UNDP had stated that her organization's main objective was the elimination of poverty. In view of the fact that UNDP appeared to have had difficulty recently in mobilizing resources and that poverty appeared to be on the increase rather than on the decrease, he wondered what means UNDP was employing to carry out its duty of eliminating poverty.

79. The Secretary-General of UNCTAD had referred to the forthcoming United Nations Conference on the Least Developed Countries. It would be interesting to hear what precise actions he thought that the international community could take with regard to debt.

80. Ms. JAHAN (Bangladesh) said that her delegation endorsed Mr. Osmani's conclusions. Nevertheless, national efforts must be supported by international cooperation and the creation of an equitable external economic environment. Anti-poverty measures at all levels should channel the available funds towards socio-economic programmes that would empower the poor and marginalized, particularly women. There must also be increased investment in human resources. At the root of the problem was not so much a lack of resources, as the inequitable distribution of resources both within and among nations. A human rights-based approach was attractive because it recognized beneficiaries as active participants.

81. Ms. NEURY (Centre Europe-Tiers Monde) said that all reports and indicators pointed to the fact that the gap between rich and poor had widened considerably in the past few decades, with a consequent deterioration in human rights. The economic and social mechanisms responsible for creating that gap must be urgently addressed. The current organization of production and the inequitable distribution of its products were the basic cause of poverty. It was therefore meaningless to make an arbitrary distinction between poverty and extreme poverty.

82. Similarly, the cancellation of the debt of one or more countries would do nothing to resolve the problem of ever-increasing third-world debt. The origins of such debt must be recognized, as must the fact that any reduction or cancellation of developing countries' debts could only count as reparation for the historical depredations they and their people had suffered.

83. It was unbelievable that the HIPC initiative should propose that no country would be eligible for debt relief unless its Government declared its commitment to eradicate poverty. The countries concerned had for years been suffering the negative effects of structural adjustment programmes: the increase in poverty amongst their populations had been in direct proportion to the measures imposed on them by the Bretton Woods institutions. It was not surprising that poverty was being made a condition for international financial assistance, when the World Bank had recently published research demonstrating that poverty was a phenomenon for which States were solely responsible.

84. Peoples must not be expected to adapt themselves to globalization: globalization must adapt itself to the needs of peoples and human beings. The fight against poverty demanded that the mechanisms of globalization be revised and wealth equitably distributed. As it was, increasing globalization concentrated wealth in ever-decreasing circles, while poverty was ever more widely distributed.

85. Mr. REN Yisheng (China) said that, over the past two decades, his Government had successfully implemented integrated social programmes for the eradication of poverty. Sustainable social development was a precondition for the eradication of poverty, and every country must improve education and introduce programmes that corresponded to the realities in

that country in order to enable its citizens to move towards prosperity. A new and equitable international economic order and equitable trade relations must also be established. Financial and other assistance must be made available to the developing countries.

86. Mr. BROWN (United States) said that his delegation agreed with the remarks regarding the accountability of States for the distribution of resources, which could be linked to the need to provide the rule of law that was essential to the realization of all human rights. He also agreed that human rights considerations should be integrated into the international economic system. However, sustained economic growth was essential to the elimination of poverty. The concept of a human rights-based approach was appealing but limited: there was as yet a lack of consensus on what such an approach should entail. He did not believe that a declaration of principles would be useful, and would prefer to concentrate on the HIPC and other initiatives. While the international community could do more, countries must take the experiences of the poor into account when addressing the issue.

87. Mr. RONNAS (Observer for Sweden) said that his Government had a broad perspective on policy that went beyond the purely conventional aspects of income, consumption, health and education and included risk, vulnerability and lack of voice and power. In addressing the issue of poverty, it must be borne in mind that women represented the majority of the poor. His Government believed that the way forward lay in cooperation. When individual Governments were willing to mobilize resources, cooperation must be forthcoming from the international community. Sweden made a contribution to such cooperation, devoting 7.7 per cent of its GNP to ODA. A major challenge in combating poverty was ensuring cooperation and coordination of all the relevant actors within the United Nations system. The Commission had an important contribution to make in that regard.

88. Ms. KONGSVIK (Norway) said that the reduction of poverty had always been a key objective of her country's cooperation strategy. However, that strategy was currently being adjusted and a holistic approach was being adopted in recognition of the fact that development and human rights were two sides of the same coin. Because of the interrelationship of rights, improvement in one area usually brought about improvement in others. For example, freedom of expression often created pressure for improvement in economic and social conditions. Human rights provided an important framework for development activity. She wished to stress the fact that development cooperation was concerned with justice, not charity.

89. Ms. BUNCH (Women's Caucus) said that the Commission's current debate was timely in view of the forthcoming Beijing Plus Five Conference. The Beijing Platform for Action related to the human rights of women, and poverty was the first chapter of that Platform. Nevertheless, the chapters on poverty and the economy made few references to human rights. It was poverty and women's lack of economic power that prevented them from exercising their human rights. A majority of women were one death or one divorce away from poverty for most of their lives. Most women lived in fear of poverty, and that fear intersected with violence against women to increase their vulnerability. All programmes must address women's poverty.

90. Ms. EZEIB (Women's Caucus) said that she wished to emphasize the link between poverty and the denial of women's inheritance and landownership rights, which contributed to the poverty of women in developing countries in Africa and elsewhere. The question was

particularly relevant in view of the current HIV/AIDS epidemic and the widespread civil strife affecting many African countries, as a result of which many women were widowed early and denied access to means of production. She therefore urged the independent expert to examine the relationship between inheritance rights and poverty.

91. The CHAIRMAN, summarizing the Commission's special debate on poverty and its impact on the enjoyment of human rights, said that the patterns of poverty, discrimination and disease were not unconquerable. Given the resources available, those deadly cycles could be broken within a single generation. The roots of poverty must be tackled nationally as well as in the quest for a more equitable international order.

92. Tackling poverty was a fundamental human rights issue, because poverty was a threat to peace, security and human rights. The realization of human rights was the primary goal of poverty reduction. The Commission could make a difference by promoting a rights-based approach. It could also respond to the call of the development and financial agencies for guidance in the integration of human rights and the implementation of a rights-based approach. Poverty should be a central focus of the Commission's work, and it should insist on the enforceability of economic, social and cultural rights and on their justiciability. It should insist on poverty alleviation for the world's children.

93. The Secretary-General's call for the halving of poverty by the year 2015 had received widespread support, as had his call for all children to have access to primary education by that date.

94. There was growing awareness that the roots of poverty could be attacked by linking human rights and development. Wide-ranging debt relief was crucial for the elimination of global poverty, as was a more favourable international economic system that would meet the interests of all countries.

95. Equality of opportunity for development was as much a prerogative of nations as of the individuals within them. The increasing feminization of poverty was a cause for deep concern. The belief that everyone was entitled to a social and international order in which human rights and fundamental freedoms could be realized was fundamental to the contemporary world. The poor must be considered as participants rather than as victims.

96. The international community had a moral duty to help eliminate poverty, strengthen its commitment and assistance and support efforts at the national level so as to enable every individual to enjoy equality of opportunity for development. All Commission rapporteurs should include in their reports a chapter on the poor. There must be coherence between the different actors and international institutions. All were equally responsible and accountable, and all must be given the chance to grow and develop to the full extent of their abilities.

97. Increased attention must be paid to the realization of economic, social and cultural rights. National and international strategies for human rights and development should focus increasingly on implementation of the International Covenant on Economic, Social and Cultural Rights. The

obligation to respect, protect and fulfil basic economic, social and cultural rights must be pursued and coherence must be created between macroeconomic policies and a social framework which reflected human rights.

98. Respect for human rights could help to bring about more equitable and just societies, thereby contributing to the reduction of poverty. The principle of non-discrimination was fundamental, as was participation by citizens in social and economic decision-making.

99. Every Government had a responsibility to make optimum use of its resources and prioritize the realization of basic economic and social rights for all its people, who must be assured of enjoyment of the right to food, health, shelter and education.

100. Available resources must be used fairly and justly in the interests of all the people. Inefficiency and corrupt governance led to and exacerbated poverty. The incidence of poverty must be monitored with a view to comprehending the scale of the problem and tackling the plight of the poor in an equitable manner.

The meeting rose at 1.05 p.m.